

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff

Case No. 23-cr-20100
Hon. Matthew F. Leitman

-vs-

CALVIN ZASTROW, et al.,

Defendants.

/

ORDER GRANTING MOTION TO DECLARE
CASE A COMPLEX OR MEGA CASE

Because of the volume and nature of discovery and expected length of trial in this case, and the anticipated hardship on counsel providing services to the principal defendants pursuant to subsection (e) of the Criminal Justice Act (CJA), 18 USC § 3006A, for such a period without compensation, the following procedures for budgeting and interim payments will apply. *See, Guide to Judicial Policy* (Guide), Volume 7A sec. 310.60.

IT IS ORDERED that:

1. Budgeting

Each Attorney appointed pursuant to CJA who believes that the fees and costs associated with defending his or her client will exceed \$40,000 shall submit

an interim budget for approval. An attorney planning to submit a budget for approval by the Court shall first seek pre-approval from Dennis Alerding, Case Budgeting Attorney for the US Court of Appeals for the Sixth Circuit. After receiving approval from Mr. Alerding, the attorney shall then file an *ex-parte* motion under Seal seeking approval from the Court. This Order constitutes permission to file the *ex-parte* budgeting motion under Seal and a separate motion seeking permission to file the budgeting motion under Seal is not necessary. *See*, ED Mich L R 5.3. The initial budget (Stage One Budget) should cover only pretrial services. A separate budget must be provided to cover trial services (Stage Two Budget), if necessary, at a later date. The budgeting motions will be submitted to the Court for initial approval and then to the Sixth Circuit Court of Appeals for final approval.

2. Guidelines for Reimbursable Expenses

Case-related travel by privately owned automobile should be claimed at the rate of 67 cents per mile, or the current rate at the time of submission if changed, plus parking fees, ferry rates, and bridge, road and tunnel tolls. Transportation other than by privately owned automobile should be claimed on an actual expense basis. Air travel in "first class" is prohibited. For attorneys or other service providers requiring air travel, counsel are encouraged to contact the clerk for air travel authorization at government rates. Actual expenses incurred for meals and lodging

while traveling outside the Eastern District of Michigan during this representation must conform to the prevailing rates placed upon travel and subsistence expenses for federal judiciary employees in accordance with existing government travel regulations. Telephone toll calls, telegrams, photocopying and photographs can be reimbursable expenses if reasonably incurred. However, general office overhead, such as rent, secretarial help and telephone service, is not a reimbursable expense, nor are items of a personal nature. In addition, expenses for service of subpoenas on fact witnesses are not reimbursable, but rather are governed by Federal Rule of Criminal Procedure 17 and 18 USC § 1825.

3. Further Guidance

Answers to questions concerning services provided under the CJA can generally be found in (1) 18 USC § 3006A; (2) the Plan of the United States District Court for the Eastern District of Michigan available at <http://www.mied.uscourts.gov/Ruleslcjaplan.pdf>; and (3) *Guide*, Volume 7 A, which is published by the Administrative Office of the U.S. Courts and available at: <http://www.uscourts.gov/FederalCourts/AppointmentofCounsel/CJAGuidelinesforms.aspx>.

IT IS SO ORDERED.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: April 12, 2024

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on April 12, 2024, by electronic means and/or ordinary mail.

s/Holly A. Ryan

Case Manager

(313) 234-5126